

Commissioners Meeting Minutes
September 5, 2006

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Kemp, Davis, and Lanier were present. Rev. Marion Smith, retired Social Services Director, gave the invocation, and everyone recited the Pledge of Allegiance.

Special Announcement Concerning Veterans Services Office

Richard Wells, Interim County Manager, announced that the Veterans Services Office would be moving to the Shaw Building, effective September 11, 2006. An open house is scheduled for September 21, from 10:00 a.m. – 12:00 Noon.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke, and Chairman Holmes closed the public comment period.

Addition to and Approval of Consent Agenda

Chairman Holmes announced that *Item I. Appoint Linda Cook to Tourism Development Authority* would be added to the Consent Agenda.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve 8/14/06 regular meeting minutes;*
- *reappoint Bob McDuffie to Piedmont Triad Regional Water Authority;*
- *appoint Wayne Joyce to Randolph County Planning Board (full member status from alternate);*
- *appoint Cindy Miller to Adult Care Home Advisory Committee;*
- *appoint Claire Casale to Nursing Home Advisory Committee;*
- *adopt Proclamation designating “Family Day—A Day to Eat Dinner with Your Children,” as follows:*

WHEREAS, *the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and*

WHEREAS, *surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and*

WHEREAS, *teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and*

WHEREAS, *teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and*

WHEREAS, *the correlation between family dinners and reduced risk for teen substance abuse are well documented; and*

WHEREAS, *parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and*

WHEREAS, *family dinners have long constituted a substantial pillar of family life in America.*

NOW, THEREFORE, *the Randolph County Board of Commissioners hereby proclaim September 25, 2006 as Family Day – A Day to Eat Dinner with Your Children and urge all citizens to recognize and participate in its observance.*

- *approve Budget Amendment #7, as follows:*

2006-2007 GENERAL FUND - Amendment #7	
Revenues	Increase
<i>Restricted Intergovernmental</i>	<i>\$ 9,827</i>
Appropriations	Increase
<i>Public Health</i>	<i>\$9,827</i>

- *approve Budget Amendment #8, as follows:*

2006-2007 GENERAL FUND - Amendment #8	
Revenues	Increase
<i>Restricted Intergovernmental</i>	<i>\$ 13,500</i>
Appropriations	Increase
<i>Soil & Water</i>	<i>\$13,500</i>

- *appoint Linda Cook to Tourism Development Authority.*

Update on Hwy. 22 Providence Grove School Water Transmission Line

David Townsend, III, Public Works Director, said that County staff have spent several months working with various municipalities to provide utility services to the new Providence Grove High School site, which is located on Mack Lineberry Road in the Northeast quadrant of the County. The County will provide funds for the majority of the utility services; however, three local municipalities (Ramseur, Franklinville, and Liberty) will maintain these utilities once they are constructed. The Town of Liberty will be accepting the sanitary sewer service from the new school. The Town of Franklinville will also be applying for funding and providing municipal funds for the project. Chairman Holmes recognized and thanked representatives from Ramseur, Liberty and Franklinville, which included Ramseur Mayor Hampton Spivey, Franklinville Mayor Jerry Grazier and Liberty Town Manager Roger Davis.

Mr. Townsend asked the Board for authorization to negotiate a contract with the Town of Franklinville for water service. This contract will be presented to the Board for approval as soon as it is completed.

On motion of Kemp, seconded by Lanier, the Board voted unanimously to support a partnership with the Town of Franklinville to install a water transmission line along Hwy. 22 for the purposes of supplying water to Providence Grove High School and Grays Chapel Elementary School and further to authorize the County Engineer and County legal staff to negotiate an agreement with the Town of Franklinville effecting this partnership.

Approval of Purchase Price of School Property

Dr. Diane Frost, Asheboro City Schools Superintendent, pursuant to N.C.G.S. 115C-426(f), asked for the Board's approval of the purchase price to buy a parcel of land behind Donna Lee Loflin School. She said that the 21,344 sq. ft. (0.49 ac.) parcel has been appraised at \$64,000 and the offer to purchase has been accepted by the current owner at \$60,000. The parcel would complete the block where Loflin School is located, allowing for additional improvements such as parking, playground space, or a future free-standing pre-school building. It would also provide a buffer to prevent commercial or multi-housing development at the back of the current property. She said that capital outlay funds in the current FY 2006-07 budget will be used to purchase the property; no additional funding is requested.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the purchase price of \$60,000 for the parcel of land behind Donna Lee Loflin School.

Update on County Financing of Schools Capital Needs

Will Massie, Assistant County Manager/Finance Officer, reported that the 2006 Certificates of Participation (COPS) were issued on August 30 to finance construction of the Providence Grove High School, to acquire land for the future Archdale-Trinity area high school, and to renovate Teachey Elementary School. Randolph County issued \$41,195,000 in debt with an average interest rate of 4.37%. Favorable bond market conditions on the sale date resulted in lower than expected interest costs. This debt issuance was the first application approved by the Local Government Commission (LGC) that included Lottery proceeds as a source of funds. Although no one knows how much will ultimately be generated from the NC Education Lottery for school construction, Randolph County will use whatever proceeds are available toward the debt service on these projects. However, Lottery proceeds will never be enough to cover the entire principal and interest payments on the 2006 COPS. Mr. Massie stated that he plans to meet with the County Schools' facilities personnel and architect soon to plan the financing for the future Trinity area high school. Tentative plans for the next COPS sale will be the fall of 2007, but this depends on when the County Schools finalize the land purchase, complete the design phase, bid the project, and receive the necessary permits. The LGC will not approve the next County financing until all these events have occurred.

Mr. Massie said that for the past few years, the capital needs of the school systems have been discussed; responding to these needs is a prime goal of the County. The Board of Commissioners has been very flexible in trying to respond to these needs. In past meetings, limitations on the County's capacity to issue debt have been discussed. The rule of thumb used by the bond markets and the LGC is that a unit of government should not commit to debt service payments in excess of 15% of the total operating budget. The debt service on the currently approved projects (2006 and 2007 COPS) will raise Randolph County's percentage to over 15% in 2008-2009, which is the first year full debt service payments are made on both financings during the same fiscal year. These projects will limit the County's ability to issue any more debt until we begin to pay off some of our current obligations. A subsequent issuance of any more significant debt after the 2007 COPS may have to wait until at least 2010. Before this, the County will need to prioritize the needs of the school systems, consider other County needs such as water, and evaluate the economic consequences of further debt service.

Request for Day Care Social Worker Position

Martha Sheriff, County Social Services Director, asked the Board to allocate another Child Day Care Worker position. Randolph County Partnership for Children (Smart Start) is funding this position, which is needed due to the high number of child day care cases that DSS manages and due to the high turnover rate in this entry level position. No County funds will be required.

On motion of Kemp, seconded by Davis, the Board voted unanimously to allocate a Social Worker I position (Grade 64, Step 1) for Child Day Care Services at DSS, effective 10/1/06, to be 100% funded by Smart Start funds.

Hearing and Decision on Public Health Nuisance Abatement

Aimee Scotton, Associate County Attorney, reported that NCGS 153A-140 gives the County the authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety. This authority is exercised by the Board of Commissioners upon adequate notice, right to a hearing and the right to appeal to the General Court of Justice. The Randolph County Health Department, in response to a citizen complaint, has discovered and investigated property that they believe is dangerous and prejudicial to the public health and safety. Efforts to remedy this situation through contact with the owners have been unsuccessful. She reminded the Board that at their last meeting, a hearing was set for 4:30 p.m. on September 5, 2006 to hear evidence on this matter and to render a decision on whether or not to abate this nuisance. Notice of this hearing was sent by registered

mail to the property owners' last known addresses and was also posted on the property and published in *The Courier Tribune* and the *Greensboro New and Record*. Ms. Scotton said that she would call on Health Director Mimi Cooper to present evidence regarding the condition of the property located at 1102 Country Place Road in Asheboro.

Chairman Holmes administered an oath for sworn testimony to MiMi Cooper, Public Health Director, who provided evidence via a PowerPoint presentation showing photographs of conditions at 1102 Country Place Road, Asheboro. The abandoned house is easily accessible due to all exterior doors having been kicked in. Weeds have overtaken the yard. Behind the house exists an in-ground swimming pool that is actively breeding mosquitoes. A diving board is located at the end of the pool. There are 2 wide breaches in the wooden fence surrounding the pool, providing easy access to nearby neighbors, thereby constituting an attractive nuisance, especially for children. It was also apparent from these pictures that the property had been abandoned for quite some time. She asked that the Board abate this nuisance based on the evidence presented and her testimony that the property's conditions are potentially dangerous and prejudicial to public health and safety and thereby constitute a public health nuisance.

Chairman Holmes asked if there was anyone else present who wished to speak on behalf of the property owners or to offer any evidence to contradict the findings of the health department. No one spoke. Chairman Holmes also asked if there was anyone who wished to cross-examine Ms. Cooper. Again, no one came forward.

Ms. Cooper said that the County Maintenance staff could repair the fence around the pool, cut back the overgrowth on the property and secure the structure. She said a swimming pool company could be contracted to drain and cover the pool. All costs associated with these measures could then be assessed back to the property.

On motion of Kemp, seconded by Frye, the Board voted unanimously, based on sworn testimony and evidence provided by MiMi Cooper, Public Health Director, that a public health nuisance exists on property located at 1102 Country Place Road, Asheboro, such that the easily accessible abandoned house and swimming pool, which is actively breeding mosquitoes and which also contains a diving board, provides an attractive nuisance and a danger to the public health, and directed the Randolph County Public Health Director to take the necessary steps to abate said nuisance.

Update on Asheboro/Randolph Zoo Greenway

Hanna Cockburn, PTCOG Senior Planner, gave a PowerPoint presentation on the proposed Asheboro-Zoo Greenway, which was originally proposed by the Chamber of Commerce to connect the US Highway 64 corridor at the YMCA in Asheboro to the North Carolina Zoo. The total estimated length is 6.5 miles. NCDOT approved a feasibility study of the greenway in the 2004-2010 Transportation Improvement Program. The preferred design for the greenway consists of a 10' wide asphalt path, with a 2' gravel shoulder and a 3' grass clear area on each side. Staff from the City of Asheboro, Randolph County, the Piedmont Triad Rural Planning Organization and NCDOT will be conducting field work in the area next spring and summer to identify a preferred alignment and any environmental considerations. The field work will ultimately result in a preferred route for the greenway, bridge locations and cost estimates. Public workshops will be scheduled later this summer to provide landowners and other stakeholders an opportunity to share their concerns, comments and ideas on the project with NCDOT and local planners. In order for the project to receive state and federal funding for design and construction, the City of Asheboro and Randolph County will be responsible for acquiring and paying for all necessary right-of-way and easements. Ms. Cockburn said that the initial cost estimate for the project was \$6.5 million, but a more realistic estimate would be between \$7 and 7.5 million.

Presentation on Park & Ride Services

Brent McKinney, P.A.R.T. Executive Director, said that 3 Randolph County municipalities are interested in Park & Ride services; they are Trinity, Archdale and Randleman. Primarily due to air quality planning due to the Early Action Compact requirements for ozone standards, PART is very interested in expanding its regional Park & Ride lot development program into Randolph County. Mr. McKinney briefed the Board on the many express bus and shuttle systems in the Triad facilitated by PART. He explained that a Park & Ride lot could be about 90% funded by state and federal funds, with the remaining 10% being local match. He suggested the County consider a possible gross receipts tax levy on vehicles and motorcycles in Randolph County as its source of funding for the match; some Randolph County municipalities are also considering this tax. The Board discussed this issue and decided to consider the issue further a future meeting.

Adoption of Orders Concerning 2007 Revaluation at True and Present Values

Ben Chavis, Tax Assessor/Collector, said that the next step in the 2007 Revaluation process is for the Board to approve orders adopting the true value and present use schedules, standards and rules.

Chairman Holmes asked if there was anyone present who wished to speak on the matter. No one spoke.

The Board voted unanimously to adopt the Order Concerning The Market Value Schedule Of Values, Standards And Rules To Be Used In Appraising Real Property At Its Market Value For The January 1, 2007 Revaluation, as follows:

Upon motion by Commissioner Frye, seconded by Commissioner Kemp, the Randolph County Board of Commissioners hereby issues an order adopting the final schedules, standards, and rules to be used in appraising real property at its market value for January 1, 2007.

The Randolph County Tax Assessor is hereby ordered to provide for public examination a copy of these schedules in his office at 725 McDowell Road, Asheboro, NC. A property owner who asserts that these schedules, standards, and rules are invalid may appeal them to the North Carolina Property Tax Commission, P. O Box 871, Raleigh, NC 27602-0871, within 30 days from September 5, 2006.

The Randolph County Clerk to the Board is hereby ordered to publish in a newspaper of general circulation a notice of this order and the rights of the property owner. This notice shall be published for four successive weeks, on September 6, 13, 20 and 27, 2006.

The Board voted unanimously to adopt the Order Concerning The Present Use Schedule Of Values, Standards And Rules To Be Used In Appraising Real Property At Its True Value For The January 1, 2007 Revaluation, as follows:

Upon motion by Commissioner Kemp, seconded by Commissioner Frye, the Randolph County Board of Commissioners hereby issues an order adopting the final schedules, standards, and rules to be used in appraising real property at its present use value for January 1, 2007.

The Randolph County Tax Assessor is hereby ordered to provide for public examination a copy of these schedules in his office at 725 McDowell Road, Asheboro, NC. A property owner who asserts that these schedules, standards, and rules are invalid may appeal them to the North Carolina Property Tax Commission, P. O Box 871, Raleigh, NC 27602-0871, within 30 days from September 5, 2006.

The Randolph County Clerk to the Board is hereby ordered to publish in a newspaper of general circulation a notice of this order and the rights of the property owner. This notice shall be published for four successive weeks, on September 6, 13, 20 and 27, 2006.

Public Hearing, Action and Budget Amendment on the Expenditure of Public Funds on the Randolph County Economic Development Corporation's Randleman Property

Chairman Holmes opened a duly advertised public hearing at 5 p.m. Bonnie Renfro, Randolph County EDC President, explained that the EDC, in April 2000, purchased a 47.3-acre site in Randleman for development of its second industrial park. Another 5.61 acres was placed under option. This property, now known as the West Randleman Business Park, was financed by the EDC through a bank loan for \$762,500 with a credit line of up to \$1 million for additional development costs. The Randolph County Board of Commissioners agreed to assist with the cost of debt service as needed for the project. In October 2004, 17.18 acres of land was sold to Rheem Air Conditioning Distribution Center. In December 2004, the EDC purchased 3.241 acres of the optioned acreage. Total acreage available currently is 33.36 acres, with 2.3 acres under option. The loan balance is \$436,993.04 and the debt service payment due September 2006 is \$30,996.15. Following Board approval these funds will be reimbursed to the EDC via a transfer from the Economic Development Reserve Fund.

Chairman Holmes asked for public comment and, hearing none, closed the public hearing.

On motion of Davis, seconded by Frye, the Board voted unanimously to approve the \$30,997 interest payment for the EDC and Budget Amendment #9, which transfers funds to the EDC from the Economic Development Reserve Fund, as follows:

2006-2007 GENERAL FUND--Amendment #9		
Revenues	Increase	Decrease
<i>Transfer from Economic Development Reserve</i>	<i>\$30,997</i>	
Appropriations	Increase	Decrease
<i>Other Economic Development Appropriations</i>	<i>\$30,997</i>	

Closed Session—Economic Development (N.C.G.S.143-318.11(a)(4))

At 5:58 p.m., on motion of Frye, seconded by Davis, the Board voted unanimously to go into closed session to discuss matters relating to the location or expansion of business in the area, pursuant to N.C.G.S. 143-318.11(a)(4).

At 6:28 p.m. the Board returned to open session and then took a short recess.

Amendment to Unified Development Ordinance—Signs

At 6:38 p.m., Chairman Holmes adjourned to a duly advertised public hearing to consider an amendment to the Unified Development Ordinance regarding off-site directional gateway signs. Hal Johnson, Planning & Zoning Director, said that currently, Randolph County zoning regulations do not contain a provision that would allow off-site directional signs for business or industry. As more businesses and industries begin to locate in business or industrial parks, the need for off-site, non-advertising, directional signs is becoming more important. These signs would not be allowed in residential zoning districts, but would have professional design standards that would not detract from the community. The County Planning Board reviewed a proposed amendment at their August 15 meeting, and recommended unanimously that an amendment be approved. Planning staff have received input and comments from industry representatives since the Planning Board meeting, and the recommended amendment incorporates many of their suggestions.

Chairman Holmes opened the public hearing, and hearing no comments, closed the public hearing.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve an amendment to Article X of the Unified Development Ordinance, as follows:

Article X. Signs

Section 2. Classification and Structural Type

Directional Gateway Sign. *A sign designed to promote safety, traffic flow, and enhance area economic development by directing the general public to a business or industrial development. Directional signs are off-premise signs limited exclusively to the name of the establishment, location, or direction of route to such establishment. Advertising messages are prohibited.*

Section 6. Sign Regulations Applicable to Commercial and Industrial Districts.

- e) *Directional Gateway signs in commercial and industrial districts shall be subject to the following restrictions.*
 - 1) *One (1) directional gateway sign shall be permitted for the same business.*
 - 2) *Directional gateway signs shall not exceed 16 sq. ft. for a single business and 16 sq. ft. for the name of the street and/or development with a maximum total sign size of 75 sq. ft. No directional gateway sign shall exceed eight (8) ft. in height.*
 - 3) *Non-flashing or indirect illumination is required. All lighting must be motionless.*
 - 4) *Sign must be a ground mounted sign constructed of metal, brick, or fiberglass.*
 - 5) *Landscaping of the site around the sign using appropriate plantings and shrubs is required.*
 - 6) *Any directional gateway sign shall be subject to approval by the N.C. Department of Transportation. No directional gateway sign shall be placed where it may cause a hazard, or obstruct the view of any driver.*
 - 7) *A construction plan shall be required prior to issuance of a zoning permit.*

Rezoning Public Hearing

At 6:38 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on each request.

1. **KLAUSSNER FURNITURE IND.**, Asheboro, North Carolina, is requesting that 3.18 acres located at Dinah Road Ext., Cedar Grove Township, be rezoned from RA to HI-CD. Primary Growth Area. Tax ID# 7658380598. The proposed Conditional Zoning District would specifically allow the expansion of existing manufacturing facilities. The Planning Board reviewed this request at a public meeting on August 15, 2006, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policies within the Growth Management Plan supporting approval of this request:

Policy 1.1 The County will encourage new and expanding industries and businesses which: (1) diversify the local economy, (2) utilize more highly skilled labor force and (3) increase area residents' incomes.

Policy 3.2 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.

No one spoke.

On motion of Kemp, seconded by Lanier, the Board voted unanimously to approve the request of Klaussner Furniture Ind., as consistent with adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board, and providing the applicant meets the requirements of the Planning Staff regarding adequate lighting, screening and buffers.

2. **DIAMOND W BUILDERS, LLC.**, Archdale, North Carolina, is requesting that 53.94 acres located on Old Marlboro Road, New Market Township, be rezoned from RA to CVOE-CD. Primary Growth Area. Tax IDs 7726417510, 7726400806, and 7726304862. The proposed Conditional Zoning District would specifically allow the development of a 53-lot residential subdivision for site-built homes only with a minimum house size of 1,500 sq. ft. Property Owners – Bobby L. & Jimmie D. Johnson. The Planning Board reviewed this request at a public meeting on August 15, 2006, and unanimously

recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policies within the Growth Management Plan supporting approval of this request:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimized “leap frog” development (e.g. leaving large vacant areas between developments).

Gary White spoke in support of his request.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Diamond W Builders, as consistent with adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

3. **SHELBY BREWER**, Randleman, North Carolina, is requesting that .90 acres located on 7002 US Hwy 311, New Market Township, be rezoned from RA to HC-CD. Primary Growth Area. Tax ID# 7736839391. The proposed Conditional Zoning District would specifically allow a variety store in the existing building and the existing single-wide mobile home to be used for residential purposes. Property Owner – F.C. Flanagan. The Planning Board reviewed this request at a public meeting on August 15, 2006, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policies within the Growth Management Plan supporting approval of this request:

Policy 4.2 Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.

Gary Brewer spoke in support of his wife’s request.

On motion of Davis, seconded by Lanier, the Board voted unanimously to approve the request of Shelby Brewer, as consistent with adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

4. **JAMES CARTER**, Asheboro, North Carolina, is requesting that 5.60 acres located at Foxfire Road/Fox Run Drive, Grant Township, be rezoned from RR to LI-CD. Secondary Growth Area. Tax ID# 7790171058. The proposed Conditional Zoning District would specifically allow the construction of a 150’ x 80’ building for lumber storage and a parking area for tractor trailer trucks. The Planning Board reviewed this request at a public meeting on August 15, 2006, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policies within the Growth Management Plan supporting approval of this request:

Policy 1.6 Planning and development decisions should be based on the principal of promotion investment in Randolph County to expand employment opportunities while preserving and improving the quality of life for all county residents.

James Carter spoke in support of his request.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the request of James Carter, as consistent with adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

Adjournment

There being no further business, the meeting adjourned at 7:15 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board